

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ERIC DIAZ,	:	Civil No. 1:19-cv-0718
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
DEBORAH E. CURCILLO, et al.,	:	
	:	
Defendants.	:	Judge Sylvia H. Rambo

ORDER

Before the court is a report and recommendation of the magistrate judge in which he recommends that Plaintiff's amended complaint be dismissed with prejudice pursuant to the screening provisions in 28 U.S.C. § 1915(e) for failure to state a claim upon which relief may be granted. (Doc. 22.) Objections were due by October 1, 2019, and to date no objections have been filed.

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record, the court is satisfied

that the report and recommendation contains no clear error and will therefore adopt the recommendation. Accordingly, **IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) The report and recommendation of the magistrate judge (Doc. 22) is **ADOPTED**;
- 2) The amended complaint (Doc. 18) is **DISMISSED** without further leave to amend;
- 3) Plaintiff's motion for supersedeas (Doc. 14) is **DISMISSED** as moot;
- 4) Defendants' motions to dismiss plaintiff's amended complaint (Docs. 19 & 25) are **DISMISSED** as moot; and
- 5) The Clerk of Court is **DIRECTED** to close this case.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: November 5, 2019